

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In re Terrorist Attacks on September 11, 2001	03 MDL 1570 (GBD) (SN) ECF Case
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This document relates to:

Underwriting Members of Lloyd's Syndicate 2, et al. v. Al Rajhi Bank, et al., 16-cv-07853
Aguilar, et al. v. Kingdom of Saudi Arabia, et al., 16-cv-09663
Addesso, et al. v. Kingdom of Saudi Arabia, et al., 16-cv-09937
Aiken, et al. v. Kingdom of Saudi Arabia, et al., 17-cv-00450
Hodges, et al. v. Kingdom of Saudi Arabia, et al., 17-cv-00117
Charter Oak Fire Ins. Co., et al. v. Al Rajhi Bank, et al., 17-cv-02651
Abarca, et al. v. Kingdom of Saudi Arabia, et al., 17-cv-03887
Arrowood Indemnity Co., et al. v. Kingdom of Saudi Arabia, et al., 17-cv-03908
Abedhajajreh, et al. v. Kingdom of Saudi Arabia, et al., 17-cv-06123
Fraser, et al. v. Al Qaeda Islamic Army, et al., 17-cv-07317
Muenchener Rueckversicherungs-Gesellschaft Aktiengesellschaft in Muenchen, et al. v. Kingdom of Saudi Arabia, et al., 17-cv-07914
Abbate, et al. v. Kingdom of Saudi Arabia, et al., 17-cv-08617

**AFFIRMATION OF J. SCOTT TARBUTTON TRANSMITTING DOCUMENTS IN
SUPPORT OF PLAINTIFFS' CONSOLIDATED MEMORANDUM OF LAW IN
OPPOSITION TO THE MOTIONS TO DISMISS OF DEFENDANTS AL RAJHI BANK,
SAUDI BINLADIN GROUP, AND NATIONAL COMMERCIAL BANK**

I, J. Scott Tarbutton affirm, under penalty of perjury, as follows:

1. I am an attorney admitted to practice *pro hac vice* in the above-captioned matter, and a member of the law firm Cozen O'Connor. I submit this Affirmation to transmit to the Court the following documents submitted in support of Plaintiffs' Consolidated Memorandum of Law in Opposition to the Motions to Dismiss of Defendants Al Rajhi Bank, Saudi Binladin Group, and National Commercial Bank.

2. Attached hereto as Exhibit 1 is a true and correct copy of the Brief for the United States as Amicus Curiae, *John Patrick O'Neill, Jr., et al. v. Al Rajhi Bank, et al.*, No. 13-318, United States Supreme Court, dated May 27, 2014.

3. Attached hereto as Exhibit 2 is a true and correct copy of the Brief of United States Senators Charles E. Grassley, Richard Blumenthal, Ted Cruz, Sheldon Whitehouse, John Cornyn, Edward J. Markey, Dan Sullivan, Tammy Duckworth, Shelley Moore Capito, Christopher A. Coons, James M. Inhofe, Catherine Cortez Masto, Marco Rubio, Bill Nelson, Orrin G. Hatch, Charles E. Schumer, John Barrasso, Kirsten Gillibrand, Dean Heller, Elizabeth Warren, Thom Tillis, John Boozman, and James E. Risch as Amici Curiae in Support of Petitioners, *Mark Sokolow, et al. v. Palestine Liberation Organization, et al.*, No. 16-1071, United States Supreme Court, dated April 6, 2017.

4. Attached hereto as Exhibit 3 is a true and correct copy of the Brief for the U.S House of Representatives as Amicus Curiae Supporting Certiorari, *Mark Sokolow, et al. v. Palestine Liberation Organization, et al.*, No. 16-1071, United States Supreme Court, dated April 6, 2017.

5. Attached hereto as Exhibit 4 is a true and correct copy of the Brief of Former Federal Officials as Amici Curiae in Support of Petitioners, *Mark Sokolow, et al. v. Palestine Liberation Organization, et al.*, No. 16-1071, United States Supreme Court, dated April 6, 2017.

6. Attached hereto as Exhibit 5 is a true and correct copy of the *Burnett* Plaintiffs' More Definite Statement as to Al Rajhi Bank, *Thomas E. Burnett, Sr., et al. v. Al Baraka Inv. and Dev. Corp., et al.*, Case No. 1:02-cv-01616 (JR) (Dkt. No. 266), dated August 27, 2003.

7. Attached hereto as Exhibit 6 is a true and correct copy of the Hearing Transcript, *In re: Terrorist Attacks on September 11, 2001*, United States Court of Appeals for the Second Circuit, dated December 4, 2012.

Executed in Philadelphia, Pennsylvania on December 5, 2017.

/s/
J. Scott Tarbutton, Esq.

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